

SECOND REGULAR SESSION

HOUSE BILL NO. 1579

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (27).

Read 1st time January 22, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2856L.011

AN ACT

To repeal section 589.400, RSMo, and to enact in lieu thereof one new section relating to the sexual offender registry, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 589.400, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 589.400, to read as follows:

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, an offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state and has been or is required to register in

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 another state or has been or is required to register under federal or military law; or

18 (6) Any person who has been or is required to register in another state or has been or is
19 required to register under federal or military law and who works or attends school or training on
20 a full-time or on a part-time basis in Missouri. Part-time in this subdivision means for more than
21 fourteen days in any twelve-month period.

22 2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of
23 [coming into any county] **conviction, release from incarceration, or placement upon**
24 **probation**, register with the chief law enforcement official of the county in which such person
25 resides **unless such person has already registered in that county for the same offense. Any**
26 **person to whom sections 589.400 to 589.425 apply if not currently registered in their county**
27 **of residence shall register with the chief law enforcement official of such county within ten**
28 **days of the effective date of this section.** The chief law enforcement official shall forward a
29 copy of the registration form required by section 589.407 to a city, town or village law
30 enforcement agency located within the county of the chief law enforcement official, if so
31 requested. Such request may ask the chief law enforcement official to forward copies of all
32 registration forms filed with such official. The chief law enforcement official may forward a
33 copy of such registration form to any city, town or village law enforcement agency, if so
34 requested.

35 3. The registration requirements of sections 589.400 through 589.425 are lifetime
36 registration requirements unless all offenses requiring registration are reversed, vacated or set
37 aside or unless the registrant is pardoned of the offenses requiring registration.

Section B. Because immediate action is necessary to provide notice to the public of
2 sexual offenders living in this state, this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and this act shall be in full force and
5 effect upon its passage and approval.